



UNIVERSITY OF DERBY STUDENTS' UNION

PROCEDURE FOR COMPLAINTS AGAINST A MEMBER OF STUDENTS' UNION STAFF

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PROCEDURE FOR COMPLAINTS AGAINST A MEMBER OF STUDENTS' UNION STAFF

1. Any Full Member, or student eligible for Full Membership but who has exercised the right not to be a member in accordance with the Education Act 1994, shall be entitled to complain about unfair or unreasonable treatment by a member of Students' Union staff.

2. PROCEDURE

Complaints shall be dealt with in accordance with the following procedure:

2.1 Complaints shall be submitted in writing to the Membership Engagement Director, who shall acknowledge receipt as soon as possible, and not later than 14 days after receiving the complaint respond.

2.2 The Membership Engagement Director shall either -

a. decide whether the complaint is not within this procedure and requires to be dealt with immediately by the Staff Disciplinary Process; or

b. consider such evidence, written or otherwise, and hold such discussions as he/she shall deem appropriate. In this respect, students and staff may be asked to give evidence; or

c. decide whether there is, or is not, a reasonable justification for the complaint; or

d. determine the proposed remedy in the event the complaint is found to have been justified.

2.3 A written response will be provided within 15 days of the receipt of the complaint by the Membership Engagement Director

2.4 Complaints against the Membership Engagement Director may be submitted to the Chief Executive, who shall follow the procedure outlined in this document and fulfilling the responsibility originally assigned to the Membership Engagement Director. Complaints against the Chief Executive may be submitted to the President, who shall follow the procedure outlined in this document and fulfilling the responsibility originally assigned to the Membership Engagement Director

2.5 If the complainant or respondent are not satisfied with the response from the Membership Engagement Director or Chief Executive they may request that the President convenes a Complaints Appeal Panel, outlining the reason that the response of the Membership Engagement Director or Chief Executive is not acceptable. Such a request should be submitted in writing within 10 days of receipt of the response set out in 2.3. Where the President had made the initial adjudication the request to convene a Complaints Panel will be referred to the Vice President Academic Affairs who shall follow the procedure outlined in this document and fulfil the responsibility originally assigned to the Membership Engagement Director

2.6 The Membership Engagement Director is required to convene a Complaints Appeals Panel within 15 days of receiving a request to do so in. The Panel shall consist of a minimum of 2 Officer Trustees who have had no prior involvement in the complaint. The Membership

Engagement Director shall arrange for the HR & Admin Manager to be present.

2.7 The Panel shall operate in accordance with the following procedure:

- a. appoint a Chair from within the membership of the Panel;
- b. receive copies of the complaint, the response of the Membership Engagement Director or other Manager, or respondent and the request for a Panel meeting;
- c. the complainant or respondent may be requested to present the details of the complaint to the panel;
- d. the Membership Engagement Director may be requested to present the reasons for their initial decision to either uphold or not uphold the complaint
- e. the Complainant and/or respondent, Membership Engagement Director may then be questioned by members of the Panel;
- f. further information may be considered in writing, or from other persons attending at the request of the complainant or respondent or the Membership Engagement Director and with the prior agreement of the panel.
- g. If presented such information shall be open to comment by the complainant, or respondent or the Membership Engagement Director;
- h. the complainant, or respondent and the Membership Engagement Director shall be given the opportunity to make a closing statement, which shall not introduce new information;
- i. the complainant or respondent and the Membership Engagement Director or other Manager shall then withdraw and the panel shall decide on the complaint.

2.8 If the appeal is upheld the complainant, respondent and Membership Engagement Director shall be notified in writing of the decision of the panel within 10 days of the meeting.

2.9 If the complainant, or respondent or Membership Engagement Director is not satisfied with the decision of the panel they may appeal to the Board of Trustees in writing.

3.0 The Board of Trustees will from time to time determine a procedure for hearing appeals though no Trustee who was involved at earlier stages of the process will have any involvement in hearing such appeals.